

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

GARY WUNSCH,)
vs.)
COLE REAL ESTATE INVESTMENTS, INC.,)
et al.,)
Plaintiff,)
Defendants.)
No. 2:13-cv-2186-HRH

ORDER

Case Status

Concurrent herewith, the court has granted plaintiff's *Motion for Appointment as Lead Plaintiff* and has granted approval of plaintiff's choice of lead counsel.

It has come to the court's attention that a settlement may be forthcoming in parallel Maryland state court litigation. The court assumes but does not know that the parties in the Maryland litigation are headed towards a global settlement of class proceedings, which would include as class members Mr. Wunsch and those who might otherwise be class plaintiffs in this case. Counsel for plaintiff and defendants will please confer and inform the court with respect to how (if at all) proceedings in the Maryland state court litigation will affect proceedings in this case.

In the event there is reason to believe that this case will go forward, the court assumes that the next order of business will be for defendants to test plaintiff's complaint

¹Docket No. 45.

with a motion to dismiss. If a motion to dismiss is to be filed in this case, counsel will please confer and propose to the court a calendar for the processing of that motion.

Pending a further order of the court, discovery in this case shall remain stayed and, in the event of motion to dismiss proceedings, shall remain stayed in accordance with 15 U.S.C. § 78u-4(b)(3)(B).

Counsel will please report to the court with respect to the foregoing on or before February 28, 2014.

DATED at Anchorage, Alaska, this 12th day of February, 2014.

/s/ H. Russel Holland
United States District Judge